

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN FORTNER,
Plaintiff,

v.

DANVILLE CITY JAIL,
Defendant.

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Civil Action No. 7:13-cv-00416

ORDER

By: Hon. Michael F. Urbanski
United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

ORDERED

that the Complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. § 1915A(b)(1);
Plaintiff's motion to proceed in forma pauperis is **DENIED as moot**; and the action is
STRICKEN from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum
Opinion to Plaintiff.

Entered: September 16, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge